

**FOXTRAP LIMITED CLUB
TRADING AS FOXTRAPPE**

700 Water Street, S.W., Washington, D. C. 20024
(202)554-3400

#10930
REC'D 5/12/74
L.H.
10930

A G R E E M E N T

For the mutual purpose of assuring the premises at 700 Water Street, S.W. are used in a manner that will enjoy the cooperation and satisfaction of the entire community and Foxtrappe and Cora Bebee, Mary Pipitone and Linda Eckoles, enter into this Agreement. Foxtrappe understands and acknowledges that, pursuant to the terms of this Agreement, if at any time Foxtrappe violates the terms of this Agreement, Cora Bebee, Mary Pipitone and Linda Eckoles may immediately proceed before the ABC Board to have Foxtrappe held in violation of the terms and conditions of the license and to seek appropriate remedies, including license revocation.

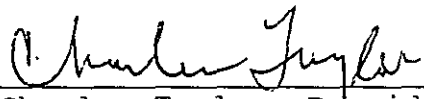
Foxtrappe as a condition of maintaining their ABC Class CR license, agrees:

1. There shall be no live or recorded music played in the garden restaurant, which is located on the upper promenade.
2. There will be no live or recorded music played on the balcony outside of the private club.
3. There will be no outdoor live or recorded music played whatsoever, outside of the premises, located at 700 Water Street, S.W. This commitment extends to and includes any and all promotional events.
4. There will be no gambling on the premises.
5. The applicant, Foxtrappe, believes that go-go or rap music is destructive and denigrating to the dignity of both men and women. Therefore, no rap or go-go acts will be performed on the premises.
6. That the applicant will maintain clear and

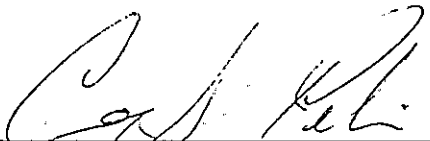
unobstructed public access through the upper promenade; furthermore, applicant will apply for a sidewalk cafe permit and a certificate of use and will comply with the provisions of DCL 4-148 and the applicable provisions of DCMR.

In the event that the relevant DC Government Agency determines the sidewalk area adjacent to 700 Water Street, S.W. not falling under the jurisdiction of DCL 4-148, applicant will voluntarily comply with the provisions of DCMR Title Chapter and in particular the following sections 301.4, 312, 313, 314, 315, 316.

7. That the applicant will advise their customers and patrons of the need to maintain quiet exit from the area during late hours and at closing.
8. The applicant will mitigate the adverse impact of this operation on nearby residential parking by:
 - a. providing controlled and closed parking underneath the restaurant for all its patrons;
 - b. encouraging the use of their parking by offering it for no cost or low cost to all its patrons; and
 - c. when necessary, employing valet parking to maximize the space available for parking.


Charles Taylor, President

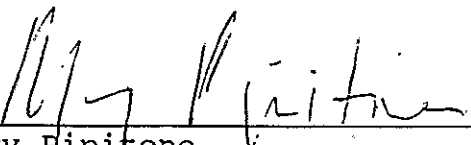
Ratified by Resolution of the
Board of Directors



Carlos Peters, Secretary

Upon signing this agreement the protestants agree to withdraw their protests.

Cora Bebee
Fourth Street Neighborhood Association



Mary Pipitone

Richard Westbrook
ANC 2-D 01

Linda Eckoles
ANC 2-D 04

LKH 443
10/19/94

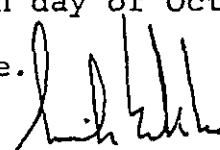
WITHDRAWAL OF PROTEST AGREEMENT
BETWEEN LINDA ECCLES AND FOXTRAPPE, INC.

LINDA ECCLES AND FOXTRAPPE, INC. enter into an Agreement that includes the following conditions:

1. Foxtrappe, Inc. agrees that it will waive its right to privacy involving its parking arrangement with Hogates.
2. Foxtrappe, Inc. agrees to incorporate its agreement with ANC-2D involving a Joint Committee into this agreement.
3. Foxtrappe agrees to make public disclosures involving any contributions to any community group.
4. Foxtrappe, Inc. agrees to secure any permits or licenses, ~~where~~ that may be required.
5. Foxtrappe, Inc. agrees that all other agreements made with prior protestants will be incorporated into this agreement.
6. The terms of this agreement is binding on the Foxtrappe and is incorporated into any order for the issuance of an ABC class CX license.
7. Foxtrappe, Inc. agrees to assist the Department of Consumer and Regulatory Affairs in creating a Corporate file between 1973 to the present within the best of Foxtrappe's ability.
8. Protestant, Linda Eccles in consideration of the agreements made by Foxtrappe, Inc. withdraws her protest for the issuance of a class CX ABC license on this 19th day of October, 1994, individually and as ANC ²⁰⁰⁴ representative.


CHARLES TAYLOR

President, Foxtrappe, Inc.


LINDA ECCLES

BEFORE
THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD

In the Matter of:

The Foxtrap Limited Club
t/a Foxtrappe
Application for a Retailer's
License Class "CX" - new
at premises
700 Water Street, S.W.
Washington, D.C.

Case No. 10930-94097P

BEFORE: MARY EVA CANDON, ESQUIRE, Chairperson
JAMES C. JEFFERSON, Member
JAMES L. O'DEA, III, ESQUIRE, Member
BARBARA L. SMITH, ESQUIRE, Member

ORDER ON WITHDRAWN PROTEST

The application, having been protested, came before the Board for public hearing on September 7, 1994, and was continued until October 5, and October 12, 1994 in accordance with D.C. Code Section 25-115 (c)(5)(1992 Supp.), providing for remonstrants to be heard. Mary Pipitone, Cora Beebe, Chair, on behalf of the Fourth Street Neighborhood Group, Linda Eckles, Single Member District Commissioner 2D04, and Tony Barnes, President, on behalf of the Southwest Black Tenants Association filed timely protests by letters dated August 21 and August 23, 1994. However, Tony Barnes and Cora Beebe withdrew their opposition by letters dated September 7, 1994 and October 12, 1994.

Further, the official records of the Board reflect that Mary Pipitone and Linda Eckles have now reached Agreements with the Applicant which have been reduced to writing, and have been properly executed and filed with the Board.^{1/} Pursuant to the Agreements, the Protestants have agreed to withdraw their protests provided, however, that the Board's approval of the pending application is conditioned upon the licensee's continuing compliance with the terms of the Agreement.

Accordingly, it is this 20th day of October 1994,
ORDERED that:

^{1/} See undated Agreement, and Agreement dated October 19, 1994.

Foxtrap Limited Club
t/a Foxtrappe
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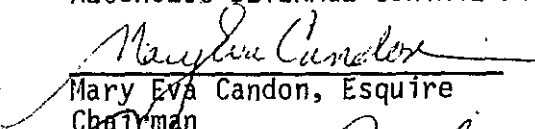
1. The protests of Tony Barnes, President, on behalf of the Southwest Black Tenants Association, and Cora Beebe, Chair, on behalf of the Fourth Street Neighborhood Group, be, and the same hereby, are WITHDRAWN;

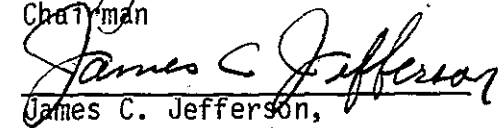
2. The above-referenced Agreements between the applicant, Mary Pipitone and Linda Eckles be, and the same hereby, are INCORPORATED as part of this Order;

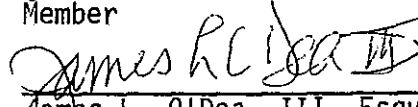
3. The application of Foxtrap Limited Club t/a Foxtrappe for a retailer's license class CX - new at premises 700 Water Street, S.W., be, and the same hereby, is GRANTED; and,

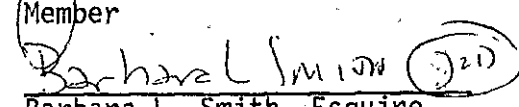
4. Copies of this Order shall be sent to the Protestants, the Attorney for the Applicant and the Applicant.

DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD


Mary Eva Candon, Esquire
Chairman


James C. Jefferson,
Member


James L. O'Dea, III, Esquire
Member


Barbara L. Smith, Esquire
Member

BEA: ABC
11/26/96
#11000

AGREEMENT

Made this 13th day of November 1996, by and between Back Door Pub, Inc. t/a The Patio, (the Applicant) and Advisory Neighborhood Commission 6B, (the ANC).

WITNESSETH

WHEREAS, Applicant's application for a Class "CT" license for premises, 406 8th Street SE, ABC Application #11000, is now pending before the District of Columbia Alcoholic Beverage Control Board (ABC); and,

WHEREAS, the subject premises are located within the ANC 6B area; and,

WHEREAS, the parties desire to enter into an agreement governing certain understandings regarding the issuance of a Class "CT" Liquor License at the subject premises; and,

WHEREAS, the ability of the District of Columbia government to provide essential public services is compromised by the failure of businesses and individuals to pay their financial obligations to the government in a full and timely manner; and,

WHEREAS, the strict enforcement of health, safety, and security regulations enhances compliance with such regulations, and, in turn, preserves and enhances the peace, order, and quiet of communities within the District of Columbia; and,

WHEREAS, the Applicant herein certifies that it does not owe more than \$100 to the District of Columbia government as the result of any fine, fee, penalty interest or past due tax;

NOW, THEREFORE, the parties agree as follows:

1. In consideration of, and reliance upon, the representations reflected in the paragraphs above, the ANC hereby agrees not to oppose the Applicant's pending license application.

2. The parties further agree that any failure of Applicant to adhere to the foregoing representations would constitute grounds for the ANC to petition the ABC Board for issuance of an order to show cause pursuant to 23 D.C.M.R. 1513.5.

IN WITNESS WHEREOF, the parties have affixed hereto their hands and seals.

APPLICANT:

ANC 6B:

By: Th. F. Haugley By: L-L Simon